

REMARKS

This Request for Reconsideration is submitted in response to the Office Action, Paper Number 8, dated October 27, 2003. Claims 10-15 have been withdrawn from consideration. Claims 1 and 19 have been amended to correct non-substantive typographical errors. Claims 1-9 and 16-22 remain pending in the Application. Applicants request reconsideration in light of the following remarks.

The Examiner rejected Claims 1-9 and 16-22 as being unpatentable under 35 U.S.C. 102(b) as anticipated by U.S. Patent 5,567,013 to Chang (hereinafter Chang). Applicants respectfully disagree. Chang discloses a seat support and slide mechanism that includes releases that allow the seat to be easily moved fore and aft on the slide mechanism. The locations of the releases are such that a passenger seated in a second seat behind a first seat can operate one of the releases in order to move the first seat to allow access to and from the second seat. Chang does not disclose the Applicants' invention as claimed in Independent Claims 1 and 19.

First, Chang does not disclose "a mounting assembly defining an occupant seating portion", as defined by claim 1 in Applicants' invention. The Examiner states that component 125 of Chang is equivalent to the mounting assembly of the claimed invention. Applicants do not believe that component 125 of Chang is the claimed occupant seating portion. Component 125 as described in Chang is a bracket that is slidable along a seat track. The bracket is not an occupant seating portion. An occupant seating portion (as described in the Specification and illustrated in the Figures) is at least a portion of the seat upon which the occupant is supported. A person of ordinary skill in the art would not identify the bracket 125 as an occupant seating portion based on this description. This point is further illustrated with reference to Figure 5 of Applicants' application. Figure 5 depicts the seat assembly 110 including a mounting assembly 112, and a portable seat 114. The mounting assembly 112 is intended for permanent attachment to a vehicle floor 116, and the portable seat 114 is releasably attached to the mounting assembly 112 for use to support a seat occupant when the portable seat 114 is used outside of the vehicle. Additionally, as stated on Page 11, Line 2, the Specification states: "When in the engaged position, the side bolsters 142 define an occupant seating portion which remains with the mounting assembly 112. The side bolsters 142 provide support for the lateral edges of the buttocks and upper legs of the occupant. Preferably, the side bolsters 142 include padding, cushions, and/or trim material." This further demonstrates the distinction between the bracket 125 of Chang and the claimed occupant seating portion. There is no same or similar structure shown in Chang. Similarly, with respect to Fig. 1, generic Claim 1 also describes "a mounting assembly defining an occupant seating portion". This portion is illustrated at 12. As claimed and described by the Applicants, Chang fails to disclose this type of seating assembly.

Also, Chang fails to disclose a seat that is "releasably attached to the mounting assembly". Nothing in Chang identifies the seat as being removable from the mounting apparatus. Chang only discloses that the seat position can be adjusted fore and aft by using one of multiple interconnected release latches. The vehicle seat according to the present invention is a seat that is removable from the mounting assembly that connects the seat to the vehicle. In addition, the seat is also described as being usable for supporting a seat occupant when the seat is outside the vehicle. This is another claim limitation that is not shown, described or suggested in Chang.

In view of the foregoing remarks, it is believed that independent Claim 1 is in condition for allowance. Since Claims 2-9 and 16-18 depend from Claim 1, it is believed that those claims are also allowable for at least that reason. Similarly, it is believed that independent Claim 19 is in condition for allowance. Since Claims 20-22 depend from Claim 19, it is believed that those claims are also allowable for at least that reason. Therefore, Applicants contend that all of the pending claims are patentable over the Examiner's rejections, and request reconsideration of all the pending claims.

With respect to the other references cited by the Examiner regarding the dependent claims, as well as the other references indicated by the Examiner to be made of record and not relied upon, none of those references show, describe, or suggest a portable seat that is adapted for use outside of a vehicle.

For all the above reasons, Applicants believe that the Application is now in condition for Allowance. However, if the Examiner feels that he is unable to issue a Notice of Allowance for any reason, Applicants request that the Examiner contact Applicants' attorney, Scott A. Blake, at 419.255.5900 to discuss this case.